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Respectfully submitted,

By: *Thomas L. Evans*  
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BANNER AND WITCOFF, LTD.

Atty. Docket No.  
005146.00005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Gregory Scott FRIEDMAN ET AL.

Examiner: P. Baker

U.S. Pat. App. No.: 09/872,753

Group Art Unit: 2188

Filed: June 1, 2001

For: SYSTEM AND METHOD FOR PROGRESSIVE AND HIERARCHICAL CACHING

REQUEST FOR RECONSIDERATION **RECEIVED**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

JUN 20 2003  
Technology Center 2100

Sir:

Applicants respectfully ask for reconsideration of the Office Action of March 14, 2003. In that Office Action, claims 1-7, 9, 10, 14 and 15 were rejected under 35 U.S.C. §102(b) over the article "Application Of Compaction Technique To Optimizing Wireless Email Transfer" by Mun Choon Chan et al. (hereafter referred to as "the Chan et al. article" for convenience). Similarly, claims 8 and 11 were rejected under 35 U.S.C. §103 over the Chan et al. article in view of U.S. Patent No. 6,052,735 to Ulrich et al. Applicants respectfully traverse both of these rejections, and courteously ask for their reconsideration.

Claims 1-7, 9, 10, 14 and 15 are directed to a method of caching information that employs at least two retrieval operations. In the first retrieval operation, a first hierarchical level of information corresponding to a data item is retrieved. A second hierarchical level of information corresponding to that data item is then retrieved during the second retrieval operation. Thus, different levels of information corresponding to the same data item are retrieved in separate retrieval operations.

Unlike these claims, the Chan et al. article is directed to a technique for compacting data. According to the technique disclosed in the Chan et al. article, two hierarchical levels corresponding to a single data item are not retrieved by separate retrieval operations. Instead, the technique of the Chan et al. article transmits a selected data item that has been compacted or encoded in a single retrieval process. More particularly, the selected data item is compacted based upon its similarities to one or more data items that already exist in the location to receive the selected data item. The compacted version of the selected data item is then retrieved in a single retrieval process. After the compacted version of the selected data item has been retrieved, it is then decoded using those existing similar data items.

Applicants respectfully submit, however, that the existing data items used to compact the retrieved data item are not hierarchical data corresponding to the retrieved data item. Instead, the existing data items are essentially random data items that are chosen for the compaction process only because of their similarity in content to the selected data item. Accordingly, the Chan et al. article does not teach or suggest the invention recited in any of claims 1-7, 9, 10, 14 and 15.

Further, Applicants respectfully submit that the Ulrich et al. patent does not remedy the

omissions of the Chan et al. article. The Ulrich et al. patent is directed to an arrangement that:

...allows the user of [a] mobile device to dynamically retrieve individual electronic mail message attachments on a per message basis...[and where further] filtering techniques can be implemented such that, during synchronization, only predetermined attachments are automatically provided to the electronic mail message object store on the mobile device. (See, e.g., the Abstract.)

Accordingly, one of ordinary skill in the art would not have been led to look to the Ulrich et al. patent to modify the data compaction technique taught by the Chan et al. article. Applicants therefore submit that the rejection of claims 8 and 11 is improper, and should be withdrawn.

In view of the above remarks, Applicants respectfully urge that all of the claims are allowable, and that this application is therefore in condition for allowance. Favorable action in this regard is courteously requested at the Examiner's earliest convenience.

It is believed that no fees are due for the entry and consideration of this Request. If, however, fees are required for the entry and consideration of this Request, the Commissioner is authorized to charge any such fees, including any fees under 37 C.F.R. §1.16 and §1.17, to Deposit Account No. 19-0733.

Respectfully submitted,

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